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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,458	07/31/2000	Phillip C. Keslin	1034.00	5371
26111	7590	12/12/2006	EXAMINER	
STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			CUNNINGHAM, GREGORY F	
			ART UNIT	PAPER NUMBER
			2628	
DATE MAILED: 12/12/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/629,458	KESLIN, PHILLIP C.
	Examiner Greg F. Cunningham	Art Unit 2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 29 September 2006.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 6-21 is/are allowed.

6) Claim(s) 1-5 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- 1) Certified copies of the priority documents have been received.
- 2) Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- 3) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

<p>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____</p>	<p>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application</p> <p>6)<input type="checkbox"/> Other: _____</p>
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## DETAILED ACTION

1. This action is responsive to communications of amendment received 9/29/2006.
2. The disposition of the claims is as follows: claims 1-21 are pending in the application.

Claims 1, 6, and 15 are independent claims. Claims 6 - 21 have been previously allowed.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen, (US 6,564,250 B1).

A. Nguyen discloses claim 1, “A system for providing a client [col. 2, lns. 36-43; col. 3, lns. 15-24 – wherein ‘miniclient 111’ corresponds to “client”] with access to remote graphics rendering resources [col. 3, ln. 21 – wherein “remote graphics rendering resources” corresponds to ‘web server (not shown)’] at a server [col. 1, lns. 43-60 – ‘server 120’; col. 2, lns. 44-52], the server comprising:

a graphics application [col. 2, lns. 44-52; col. 3, lns. 15-28 wherein ‘web browser 121’ corresponds “graphics application”], at the server [col. 1, lns. 43-60 – ‘server 120’], wherein said graphics application [web browser 121] receives commands [col. 3, ln.17 – ‘a set of web requests’] from the client [col. 2, lns. 29-55, wherein ‘full web browser 121’ corresponds to

“graphics application, at the server” and ‘transmitting web requests entered by a user and transmitted from the from the internet appliance 110 to the server 120’ corresponds to “wherein said graphics application receives commands from the client”]; and

a remote rendering control system [col. 2, lns. 44-52 and col. 3, lns. 15-28 wherein ‘web browser 121’ also corresponds to “remote rendering control system”], at the server, that receives graphics instructions [web requests] from said graphics application [web browser 121], generates modified graphics instructions [col. 3, lns. 18-21, whereby corresponds to ‘(if they are not already in a dialect of HTTP) transforms them into proper HTTP protocol requests’] on the basis of said graphics instructions and client parameters [col. 2, ln. 55 – col. 3, ln. 14], and outputs said modified graphics instructions [transformed HTTP requests] to the remote graphics rendering resources [col. 3, lns. 15-28 and col. 5, lns. 28-50, ‘web server (not shown)’]” [as detailed and further wherein ‘web browser 121’ acts as “graphics application” and “remote rendering control system” with “graphic instruction” since web browser 121 might have features such as found in Microsoft “Internet Explorer” product or “Netscape Navigator” product. For example, these features might include transmitting web requests entered by the user and transmitted from the internet appliance 110 to the server 120, preparing web pages for display by the miniclient 111 at the internet appliance 110, caching web pages and other web objects for use by the miniclient 111 at the internet appliance 110, and running applets embedded in web pages. Both Microsoft “Internet Explorer” and “Netscape Navigator” products inherently are a graphics application with graphic instructions to a graphics rendering control corresponding to Applicant’s “graphics application”, graphic instructions” and “remote rendering control system”].

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Microsoft “Internet Explorer” and/or “Netscape Navigator” products disclosed by Nguyen in combination with its inherent transparent interface.

B. Nguyen discloses claim 2, “The system of claim 1, wherein said remote rendering control system comprises a transparent interface to said graphics application, and wherein said transparent interface supports initialization of a graphics rendering session and accommodates client parameters during said graphics rendering session” supra for claim 1, wherein ‘web browsers’ inherently possess “a transparent interface” and “support initialization of a graphics rendering session”. Moreover in col. 2, lns. 44-59, wherein web browser 121 might have features found in both Microsoft “Internet Explorer” and/or “Netscape Navigator” products that are inherently a graphics application with transparent interface with graphic instructions to a graphics rendering control corresponding to Applicant’s “graphics application”, graphic instructions” and “remote rendering control system”. In addition the [col. 4, lns. 18-27, ‘display resolution and/or display size’ correspond to “accommodates client parameters during said graphics rendering session”. Furthermore disclosed in col. 3, ln. 30 col. 4, ln. 52, wherein communication link is adjusted to adapt for limited resources, quality adapted for display updates, compressing, and quality adjustment via dynamic measurement.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Microsoft “Internet Explorer” and/or “Netscape Navigator” products disclosed by Nguyen in combination with its inherent transparent interface.

C. Nguyen discloses claim 3, “The system of claim 1, wherein image data is produced from said modified graphics instructions, and wherein said remote rendering control system comprises

a data compression module that compresses said image data prior to sending said image data to the client" supra for claim 1 and furthermore in col. 3, lns. 53-67, at 'compression of the graphic element' and 'compressing the text'.

D. Nguyen discloses claim 4, The system of claim 1, wherein said remote rendering control system receives image data generated by the remote graphics rendering resources on the basis of said modified graphics instructions, and sends said image data to the client" supra for claim 1.

E. Nguyen discloses claim 5, "The system of claim 1, wherein said remote rendering control system receives graphics instructions from said graphics application in response to said commands from the client" supra for claim 1.

***Response to Arguments***

5. Applicant's arguments filed 4/12/2006 have been fully considered but they are not persuasive. Nguyen discloses the "client parameters" as detailed supra for claim 1. Note that the 'web browser 121' acts as input to the server of client parameters.

***Allowable Subject Matter***

6. Claims 6-21 are allowed.

The reasons for the indication of allowable subject matter was given in a prior office action.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Responses***

8. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

***Inquiries***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The Central FAX Number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gregory F. Cunningham  
Examiner  
Art Unit 2628

gfc

12/4/2006



MARK ZIMMERMAN  
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